

REMARKS

Claims 1-13 are pending.

§ 102 Rejections

Claims 1-5, 10-13 stand rejected under 35 USC § 102(g) based upon claims 1-4, 6-8 of Rollat et al. (Patent No. 6,689,346).

With respect to the rejection under 35 USC § 102(g), the claims had been amended to recite the subject matter of claim 9, which was not previously under rejection. This claim 9 limitation has now been recast to recite the cosmetic article not the use of the composition in a cosmetic article, a such the "use" is now being claimed not the "intended use", which will result in structural differences between the claimed subject matter and the subject matter of claims 1-4 and 6-8 of Rollat et al.

Claims 1-13 stand rejected under 35 USC § 102(f) based on the assertion the applicant did not invent the claimed subject matter.

With respect to the rejection under 35 USC § 102(f), applicants did in fact invent the claimed subject matter. In support of this Applicants submitted ROI N02835 showing the conception and reduction to practice of the claimed invention. This ROI was signed and witnessed electronically on August 2, 2000 and was obtained from 3M's corporate ROI database(attached also is a copy, screen print, of the workflow entry of this ROI in the 3M Corporate ROI database which indicates that the ROI was witnessed exactly at 12:21:01 PM). This database is secure and not able to be altered.

Applicants have resubmitted a larger color copy this screen print of 3M's corporate ROI database of the workflow entry of ROI N02835, which is clearly legible.

Applicant requests a telephone interview to more fully understand the examiners position and advance this case to issuance.

Respectfully submitted,

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Date

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